

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEVE KAUFMAN,)	
)	
Plaintiff,)	
)	
vs.)	7:06CV5017
)	
THE WESTERN SUGAR)	ORDER
COOPERATIVE, INC.,)	
)	
Defendant.)	

This matter is before the court on plaintiff's renewed Motion to Compel [71] discovery of the defendant's tax returns.

The court previously declined to consider the matter relating to the tax returns because the plaintiff failed to supply a verbatim recitation of the discovery request(s) or the defendant's response(s), as required by NECivR 7.1(i)(2). *See* Filing [70] at p.3, n.3. The plaintiff has not corrected this defect or made any "showing of manifest error in the prior ruling" or "showing of new facts or legal authority, neither of which could have been brought to the court's attention earlier with reasonable." *See* NECivR 60.1(c). Consequently, the court declines to reconsider its previous ruling.

IT IS ORDERED that plaintiff's Motion to Compel [71] is denied.

Pursuant to NECivR 72.2, a party may appeal this order by filing a "Statement of Appeal of Magistrate Judge's Order" within ten (10) days after being served with the order. The party shall specifically state the order or portion thereof appealed from and the basis of the appeal. The appealing party shall file contemporaneously with the statement of appeal a brief setting forth the party's arguments that the magistrate judge's order is clearly erroneous or contrary to law. The filing of a statement of appeal does not automatically stay the magistrate judge's order pending appeal. *See* NECivR 72.2(d).

DATED September 11, 2007.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge